IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:14-CV-00712-RJC-DSC

RICHARD LEWIS HAGINS,)	
)	
Plaintiff,)	
)	MEMORANDUM AND ORDER
V.)	
)	
LOHR SCOTT SEARCY, et al.,)	
)	
Defendants.)	

THIS MATTER is before the Court on the "Defendants' Motion to Compel Responses to Discovery Requests and to Provide Initial Disclosures..." (document # 7) and "Defendants' Memorandum of Law in Support..." (document #8) filed June 2, 2015. Plaintiff has not responded to the Motion and the time for responding has expired. On July 6, 2015, Defendants filed "Supplemental Declaration of Scott D. MacLatchie in Support of Motion to Compel" (document #10). Defendants acknowledge in the Supplemental Declaration that Plaintiff has provided Initial Disclosures since the filing of this Motion.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. \$636(b)(1)(B), and is now ripe for the Court's consideration.

For the reasons stated in their Motion, supporting brief, and Supplemental Declaration, the Court <u>orders</u> Plaintiff to respond to Defendant Searcy's Interrogatories and Defendant Town of Davidson's Interrogatories and Requests for Production.

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party's failure to obey rules governing discovery and orders of the District Court. <u>See</u> Fed.

R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976);

Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); Wilson v.

Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Plaintiff that failure to provide full and complete responses

to Defendants' Interrogatories and Requests for Production or failure to respond to any other of

the Defendants' reasonable discovery requests, or to otherwise comply fully with any of the

Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of

sanctions. Sanctions may include Plaintiff being ordered to pay Defendants' costs, including

reasonable attorney's fees in their entirety, and may also include dismissal of the Complaint

with prejudice.

NOW THEREFORE IT IS ORDERED:

1. "Defendants' Motion to Compel Responses to Discovery Requests and to Provide Initial

Disclosures..." (document # 7) is GRANTED. Within fourteen days of the date of this

Memorandum and Order, Plaintiff shall provide full and complete responses to Defendant Searcy's

Interrogatories and Defendant Town of Davidson's Interrogatories and Requests for Production.

2. The Clerk is directed to send copies of this Memorandum and Order to counsel for the

parties, including but not limited to moving counsel; and to the Honorable Robert J. Conrad, Jr..

SO ORDERED.

Signed: July 6, 2015

David S. Cayer

United States Magistrate Judge